

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re LEHMAN BROTHERS SECURITIES  
AND ERISA LITIGATION

Case No. 09-MD-2017 (LAK)

ECF CASE

This Document Applies To:

In re Lehman Brothers Equity/Debt  
Securities Litigation, 08-CV-5523-LAK

**NOTICE OF STRUCTURED PRODUCTS CLASS REPRESENTATIVES' MOTION  
FOR APPROVAL OF DISTRIBUTION PLAN**

**PLEASE TAKE NOTICE** that, upon the accompanying memorandum of law and the Declaration of Adam D. Walter submitted on behalf of the Court-appointed Claims Administrator, A.B. Data, Ltd., and pursuant to Federal Rule of Civil Procedure 23(e), the Structured Products Plaintiffs<sup>1</sup> hereby move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21B, New York, New York 10007, to enter the accompanying [Proposed] Order Approving Distribution Plan (“Distribution Order”) which will, among other things: (i) approve A.B. Data’s administrative determinations accepting and rejecting Claims submitted in connection with the Settlement in this matter, as set forth in the Walter Declaration; (ii) authorize payment of A.B. Data’s unpaid fees and expenses incurred and to be incurred in connection with services performed and to be performed with

---

<sup>1</sup> Unless otherwise noted, the terms “Structured Products Plaintiffs” and “Structured Products Class Representatives” refer to Mohan Ananda, Richard Barrett, Ed Davis, Neel Duncan, Rick Fleischman, Nick Fotinos, Gastroenterology Associates, Ltd. Profit Sharing Plan and Trust FBO Charles M. Brooks, MD, Stephen Gott, Karim Kano, David Kotz, Barbara Moskowitz, Ronald Profili, Joseph Rottman, Shea-Edwards Limited Partnership, Juan Tolosa, Grace Wang and Miriam Wolf.

respect to administration of the Settlement and distribution of the Net Settlement Fund; (iii) direct distribution of the Net Settlement Fund to Settlement Class Members whose Claims have been accepted; (iv) authorize destruction of paper and electronic copies of the Proof of Claim one year after distribution of the Net Settlement Fund; (v) direct that the distribution checks state that the check must be cashed within 120 days after the issue date; and (vi) provide that the Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and for such other and further relief as the Court deems appropriate.<sup>2</sup>

Class Counsel has conferred with Defendant's counsel and has been advised that Defendant does not object to the motion.

The proposed Distribution Order is attached hereto as Exhibit 1.

Dated: June 30, 2014

Respectfully submitted,

**GIRARD GIBBS LLP**

/s/ Daniel C. Girard

Daniel C. Girard  
Amanda M. Steiner  
Dena C. Sharp  
601 California Street, Floor 14  
San Francisco, CA 94108  
Tel: (415) 981-4800  
Fax: (415) 981-4846  
dgc@girardgibbs.com  
as@girardgibbs.com  
chc@girardgibbs.com

---

<sup>2</sup> All capitalized terms not otherwise defined herein have the meanings ascribed to them in (a) the Stipulation of Settlement and Release dated September 11, 2013, between the Structured Products Plaintiffs and UBS Financial Services, Inc. (ECF No. 1290-1), (the "Stipulation"); (b) the Notice of Pendency of Class Action and Proposed Settlement, Settlement Fairness Hearing and Motion for Attorneys' Fees and Reimbursement of Litigation Expenses; and (c) the Walter Declaration.

John A. Kehoe  
711 Third Avenue, 20th Floor  
New York, NY 10017  
Tel: (212) 867-1721  
Fax: (212) 867-1767  
jak@girardgibbs.com

*Class Counsel and Counsel for Plaintiffs  
Mohan Ananda, Richard Barrett, Neel  
Duncan, Nick Fotinos, Stephen Gott, Karim  
Kano, Barbara Moskowitz, Ronald Profili,  
Joe Rottman, Grace Wang and Miriam Wolf*

ZWERLING, SCHACHTER  
& ZWERLING, LLP

Susan Salvetti  
Justin M. Tarshis  
41 Madison Avenue  
New York, New York 10010  
Telephone: (212) 223-3900  
Facsimile: (212) 371-5969  
ssalvetti@zsz.com  
jtarshis@zsz.com

*Counsel for Plaintiffs Ed Davis, Rick  
Fleischman, Gastroenterology Associates,  
Ltd. Profit Sharing Plan FBO Charles M.  
Brooks M.D., Arthur Simons, and Juan  
Tolosa*

LAW OFFICES OF JAMES V. BASHIAN,  
P.C.

James V. Bashian  
500 Fifth Avenue, Suite 2700  
New York, New York 10110  
Telephone: (212) 921-4110  
Facsimile: (212) 921-4229

*Counsel for Plaintiff David Kotz*

BONNETT FAIRBOURN FRIEDMAN  
& BALINT, P.C.

Andrew Friedman  
2901 North Central Avenue, Suite 1000  
Phoenix, Arizona 85012  
Telephone: (602) 274-1100  
Facsimile: (602) 274 1199

TIFFANY & BOSCO P.A.  
Richard G. Himelrick  
2525 East Camelback Road  
Phoenix, Arizona 85016  
Telephone: (602) 255-6000  
Facsimile: (602) 255-0103

*Counsel for Plaintiff Shea-Edwards Limited  
Partnership*